UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/778,553	02/07/2001	Donald R. Gentner	0007056-0056/P5242/RSH	9451

24209 7590 04/26/2005	EXAMINER
GUNNISON MCKAY & HODGSON, LLP	SMITH, PETER J

1900 GARDEN ROAD	ART UNIT	PAPER NUMBER
SUITE 220	2176	

MONTEREY, CA 93940

DATE MAILED: 04/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *12 January 2005*.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
  closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-42* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-42* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on *12 January 2005* is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
  application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to communications: amendment filed on 1/12/2005.

2.   Claims 1-42 are pending in the case. Claims 1, 15, and 29 are independent claims.

Drawings

3.   The drawings were received on 1/12/2005. These drawings are acceptable.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5.   **Claims 1-3, 15-17, and 29-31 are rejected under 35 U.S.C. 102(b) as being**

anticipated by Krause et al., US 5,757,372 patented 5/26/1998.

     Regarding independent claims 1, 15, and 29, Krause discloses identifying a plurality of

events, storing a plurality of states associated with the document upon the occurrence of the

plurality of events, and obtaining the desired state using the plurality of states in col. 1 lines 42-

59 and col. 2 lines 6-10.

     Regarding dependent claims 2, 16, and 30, Krause discloses transitioning from a

previous state to a current state in the plurality of states in col. 1 lines 42-59 and col. 2 lines 6-10.

     Regarding dependent claims 3, 17, and 31, Krause discloses transitioning from a

current state to a previous state in the plurality of states in col. 1 lines 42-59 and col. 2 lines 6-10.

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7.   **Claims 4-14, 18-28, and 32-42 are rejected under 35 U.S.C. 103(a) as being**

unpatentable over Krause et al., US 5,757,372 patented 5/26/1998.

Regarding dependent claims 4, 18, and 32, Krause teaches wherein a user may save

multiple versions, or states, of a document being worked on and easily and selectively transition

from the current state to a previous state or from the previous state to a current state in col. 1

lines 42-59 and col. 2 lines 6-10. Krause teaches in col. 1 lines 31-36 that in the prior art it is

well known that multiple versions of a document may be saved automatically when a qualifying

event occurs such as the passing of a preset time interval or the initiation of a prescribed user

action.

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to have modified Krause to have created the claimed invention. It would have been

obvious and desirable to have used the prior art knowledge presented in Krause to have modified

Krause to have automatically saved a version of the document of Krause when the document is

closed. It would have been obvious and desirable to have done this so that the user could have

returned to the state of the document immediately prior to closing the document at a later time

when they wish to reopen the document.

Regarding dependent claims 5, 19, and 33, Krause teaches wherein a user may save multiple versions, or states, of a document being worked on and easily and selectively transition from the current state to a previous state or from the previous state to a current state in col. 1 lines 42-59 and col. 2 lines 6-10. Krause teaches in col. 1 lines 31-36 that in the prior art it is well known that multiple versions of a document may be saved automatically when a qualifying event occurs such as the passing of a preset time interval or the initiation of a prescribed user action.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Krause to have created the claimed invention. It would have been obvious and desirable to have used the prior art knowledge presented in Krause to have modified Krause to have automatically saved a version of the document of Krause when the document is copied. It would have been obvious and desirable to have done this so that the user could have returned to the state of the document immediately prior to copying the document in the event file is damaged during the copying process.

Regarding dependent claims 6, 20, and 34, Krause teaches wherein a user may save multiple versions, or states, of a document being worked on and easily and selectively transition from the current state to a previous state or from the previous state to a current state in col. 1 lines 42-59 and col. 2 lines 6-10. Krause teaches in col. 1 lines 31-36 that in the prior art it is well known that multiple versions of a document may be saved automatically when a qualifying event occurs such as the passing of a preset time interval or the initiation of a prescribed user action.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Krause to have created the claimed invention. It would have been obvious and desirable to have used the prior art knowledge presented in Krause to have modified Krause to have automatically saved a version of the document of Krause when the document is synchronized with a device. It would have been obvious and desirable to have done this so that the user could have returned to the state of the document immediately prior to synchronizing the document with a device in the event file is damaged during the synchronizing process.

Regarding dependent claims 7, 21, and 35, Krause teaches wherein a user may save multiple versions, or states, of a document being worked on and easily and selectively transition from the current state to a previous state or from the previous state to a current state in col. 1 lines 42-59 and col. 2 lines 6-10. Krause teaches in col. 1 lines 31-36 that in the prior art it is well known that multiple versions of a document may be saved automatically when a qualifying event occurs such as the passing of a preset time interval or the initiation of a prescribed user action.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Krause to have created the claimed invention. It would have been obvious and desirable to have used the prior art knowledge presented in Krause to have modified Krause to have automatically saved a version of the document of Krause when a different user edits the document. It would have been obvious and desirable to have done this so that the first user could have returned to the state of the document immediately prior to the editing of the document by the second user in case the second user makes changes to the document that are undesirable to the first user.

Regarding dependent claims 8, 22, and 36, Krause teaches wherein a user may save multiple versions, or states, of a document being worked on and easily and selectively transition from the current state to a previous state or from the previous state to a current state in col. 1 lines 42-59 and col. 2 lines 6-10. Krause teaches in col. 1 lines 31-36 that in the prior art it is well known that multiple versions of a document may be saved automatically when a qualifying event occurs such as the passing of a preset time interval or the initiation of a prescribed user action.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Krause to have created the claimed invention. It would have been obvious and desirable to have used the prior art knowledge presented in Krause to have modified Krause to have automatically saved a version of the document of Krause when the document was transmitted using a file transfer mechanism. It would have been obvious and desirable to have done this so that the user could have returned to a version prior to the transfer of the document in case the file was undesirably modified during or after the file transfer process.

Regarding dependent claim 9, 23, and 37, Krause teaches wherein a user may save multiple versions, or states, of a document being worked on and easily and selectively transition from the current state to a previous state or from the previous state to a current state in col. 1 lines 42-59 and col. 2 lines 6-10. Krause teaches in col. 1 lines 31-36 that in the prior art it is well known that multiple versions of a document may be saved automatically when a qualifying event occurs such as the passing of a preset time interval or the initiation of a prescribed user action.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Krause to have created the claimed invention. It would have been obvious and desirable to have used the prior art knowledge presented in Krause to have modified Krause to have automatically saved a version of the document of Krause when the document was transmitted in an email message. It would have been obvious and desirable to have done this so that the user could have returned to a version prior to the transfer of the document in the email message in case the file was undesirably modified during or after the email process.

Regarding dependent claim 10, 24, and 38, Krause teaches wherein a user may save multiple versions, or states, of a document being worked on and easily and selectively transition from the current state to a previous state or from the previous state to a current state in col. 1 lines 42-59 and col. 2 lines 6-10. Krause teaches in col. 1 lines 31-36 that in the prior art it is well known that multiple versions of a document may be saved automatically when a qualifying event occurs such as the passing of a preset time interval or the initiation of a prescribed user action.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Krause to have created the claimed invention. It would have been obvious and desirable to have used the prior art knowledge presented in Krause to have modified Krause to have automatically saved a version of the document of Krause when the document was transmitted via a chat program. It would have been obvious and desirable to have done this so that the user could have returned to a version prior to the transfer of the document via the chat program in case the file was undesirably modified during or after the email process.

Regarding dependent claim 11, 25, and 39, Krause teaches wherein a user may save multiple versions, or states, of a document being worked on and easily and selectively transition from the current state to a previous state or from the previous state to a current state in col. 1 lines 42-59 and col. 2 lines 6-10. Krause teaches in col. 1 lines 31-36 that in the prior art it is well known that multiple versions of a document may be saved automatically when a qualifying event occurs such as the passing of a preset time interval or the initiation of a prescribed user action.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Krause to have created the claimed invention. It would have been obvious and desirable to have used the prior art knowledge presented in Krause to have modified Krause to have automatically saved a version of the document of Krause during a user defined event. The customization of the event would have allowed the user to have automatically saved a version of the document so that the user would have been able to have returned to the version prior to the event in case the file was undesirably modified during or after the user defined event.

Regarding dependent claim 12, 26, and 40, Krause teaches wherein a user may save multiple versions, or states, of a document being worked on and easily and selectively transition from the current state to a previous state or from the previous state to a current state in col. 1 lines 42-59 and col. 2 lines 6-10. Krause teaches in col. 1 lines 31-36 that in the prior art it is well known that multiple versions of a document may be saved automatically when a qualifying event occurs such as the passing of a preset time interval or the initiation of a prescribed user action.

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to have modified Krause to have created the claimed invention. It would have been

obvious and desirable to have used the prior art knowledge presented in Krause to have modified

Krause to have automatically saved a version of the document of Krause when the document was

not modified during a given time period. This would have allowed the user to have returned to a

prior version in case the document was undesirably modified after the given time period.

Regarding dependent claim 13, 27, and 41, Krause teaches wherein a user may save

multiple versions, or states, of a document being worked on and easily and selectively transition

from the current state to a previous state or from the previous state to a current state in col. 1

lines 42-59 and col. 2 lines 6-10. Krause teaches in col. 1 lines 31-36 that in the prior art it is

well known that multiple versions of a document may be saved automatically when a qualifying

event occurs such as the passing of a preset time interval or the initiation of a prescribed user

action.

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to have modified Krause to have created the claimed invention. It would have been

obvious and desirable to have used the prior art knowledge presented in Krause to have modified

Krause to have automatically saved a version of the document of Krause when the document was

modified. This would have allowed the user to have returned to a prior version before the

modification to the document was made in case the modification turns out to be undesirable for

the user.

Regarding dependent claim 14, 28, and 42, Krause teaches wherein a user may save

multiple versions, or states, of a document being worked on and easily and selectively transition

from the current state to a previous state or from the previous state to a current state in col. 1

lines 42-59 and col. 2 lines 6-10. Krause teaches in col. 1 lines 31-36 that in the prior art it is

well known that multiple versions of a document may be saved automatically when a qualifying

event occurs such as the passing of a preset time interval or the initiation of a prescribed user

action.

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to have modified Krause to have created the claimed invention. It would have been

obvious and desirable to have used the prior art knowledge presented in Krause to have modified

Krause to have automatically saved a version of the document of Krause when the document was

printed. This would have allowed the user to have returned to a prior version in case the

document was undesirably modified during the printing of the document.

Response to Arguments

8.   Applicant's arguments filed 1/12/2005 have been fully considered but they are not

persuasive. Regarding Applicant's argument in pages 10-14 that Krause et al. (hereinafter

"Krause") does not teach the claimed limitation "storing a plurality of states associated with the

document upon the occurrence of the plurality of events" with particular emphasis on the "upon

the occurrence of the plurality of events", the Examiner respectfully disagrees. The example

embodiment of Krause uses an icon array of 9 dots which may be used to efficiently store

multiple versions of the document and also retrieve versions of the document. Each dot is

connected to a unique save version and the user may utilize a particular save version by clicking

on an "empty" dot. Thus, there are eight empty dots or versions available for saving when a new

document is created. Krause monitors for a unique selection of one of the empty dots to save a

version of the document. Since there are eight empty dots, there are eight, or a plurality of,

versions that can be saved. The Examiner believes "an event" as claimed, does not exclude

Krause's teaching of a dot selection. Thus, a plurality of events may occur in Krause and

consequently a plurality of document states may be stored for later retrieval based on the

occurrence of those events. For these reasons, the Examiner believes Krause discloses the

claimed limitation "storing a plurality of states associated with the document upon the

occurrence of the plurality of events" as well as the other limitations of the invention as claimed

in independent claims 1, 15, and 29 and therefore maintains the rejection of claims 1, 15, and 29

as being anticipated by Krause.

Conclusion

9.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

10.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter J Smith whose telephone number is 571-272-4101. The examiner can normally be reached on Mondays-Fridays 7:00am-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PJS
4/19/2005

JOSEPH FEILD
SUPERVISORY PATENT EXAMINER